

**REMARKS**

The Office Action mailed March 9, 2006, has been received and reviewed. Claims 1 and 3 through 28 are currently pending in the application. Claims 1, 4 through 6, 8 through 12, 14 through 16, 18, 20 through 23, and 25 through 28 stand rejected. Claims 3, 7, 13, 17, 19 and 24 have been objected to as being dependent upon rejected base claims, but the indication of allowable subject matter in such claims is noted with appreciation. Applicant respectfully requests reconsideration of the application in view of the remarks presented herein.

**35 U.S.C. § 103(a) Obviousness Rejections**

Obviousness Rejection Based on U.S. Patent No. 6,773,938 to Wood et al. in view of U.S. Patent No. 6,313,434 to Patterson et al.

Claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood et al. (U.S. Patent No. 6,773,938) in view of Patterson et al. (U.S. Patent No. 6,313,434). Applicant respectfully traverses this rejection, as hereinafter set forth.

35 U.S.C. 103(c)(1) recites:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Applicant asserts that Wood et al. (which issued from application no. 10/230,653, filed Aug. 29, 2002 and published Mar. 4, 2004) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102. Applicant additionally asserts that the subject matter of this application, and in particular the inventions of claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28, were owned or subject to an obligation of assignment to Micron Technology, Inc. at the time the claimed inventions were made, as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014570 and frame 0165 on Sep. 29, 2003. At the time of the invention of claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 Wood et al. was assigned

to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 013245 and frame 0570 on Aug. 29, 2002. Therefore the subject matter described in Wood et al. and the inventions of claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 were, at the time the inventions of claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 were made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Wood et al. cannot preclude patentability of the inventions of claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 under 35 U.S.C. § 103(a).

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to claims 1, 4 through 6, 11, 12, 14 through 16, 22, 23 and 28 under 35 U.S.C. § 103(a) based on Wood et al. in combination with Patterson et al.

Obviousness Rejection Based on U.S. Patent No. 6,773,938 to Wood et al. in view of U.S. Patent No. 6,313,434 to Patterson et al. and further in view of U.S. Patent No. 6,429,037 to Wenham et al.

Claims 8 through 10, 18, 20, 21, and 25 through 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood et al. (U.S. Patent No. 6,773,938) in view of Patterson et al. (U.S. Patent No. 6,313,434) and further in view of Wenham et al. (U.S. Patent No. 6,429,037). Applicant respectfully traverses this rejection, as hereinafter set forth.

Applicant asserts that Wood et al. (which issued from application no. 10/230,653, filed Aug. 29, 2002 and published Mar. 4, 2004) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102. Applicant additionally asserts that the subject matter of this application, and in particular the inventions of claims 8 through 10, 18, 20, 21, and 25 through 27, were owned or subject to an obligation of assignment to Micron Technology, Inc. at the time the claimed inventions were made, as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014570 and frame 0165 on Sep. 29, 2003. At the time of the

invention of claims 8 through 10, 18, 20, 21, and 25 through 27 Wood et al. was assigned to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 013245 and frame 0570 on Aug. 29, 2002. Therefore the subject matter described in Wood et al. and the inventions of claims 8 through 10, 18, 20, 21, and 25 through 27 were, at the time the inventions of claims 8 through 10, 18, 20, 21, and 25 through 27 were made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Wood et al. cannot preclude patentability of the inventions of claims 8 through 10, 18, 20, 21, and 25 through 27 under 35 U.S.C. § 103(a).

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to claims 8 through 10, 18, 20, 21, and 25 through 27 under 35 U.S.C. § 103(a) based on Wood et al. in combination with Patterson et al. and Wenham et al.

Obviousness Rejection Based on U.S. Patent No. 6,773,938 to Wood et al. in view of U.S. Patent No. 6,313,434 to Patterson et al. and further in view of U.S. Patent Publication No. 2005/0064707 to Sinha

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood et al. (U.S. Patent No. 6,773,938) in view of Patterson et al. (U.S. Patent No. 6,313,434) and further in view of Sinha (U.S. Patent Publication No. 2005/0064707). Applicant respectfully traverses this rejection, as hereinafter set forth.

Applicant asserts that Wood et al. (which issued from application no. 10/230,653, filed Aug. 29, 2002 and published Mar. 4, 2004) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102. Applicant additionally asserts that the subject matter of this application, and in particular the invention of claim 5, was owned or subject to an obligation of assignment to Micron Technology, Inc. at the time the claimed invention was made, as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014570 and frame 0165

on Sep. 29, 2003. At the time of the invention of claim 5 Wood et al. was assigned to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 013245 and frame 0570 on Aug. 29, 2002. Therefore the subject matter described in Wood et al. and the invention of claim 5 were, at the time the invention of claim 5 was made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Wood et al. cannot preclude patentability of the invention of claim 5 under 35 U.S.C. § 103(a).

Applicant additionally asserts that Sinha (which issued from application no. 10/668,914, filed Sep. 23, 2003 and published Mar. 24, 2005) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C.

§102. At the time of the invention of claim 5, Sinha was also assigned to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014610 and frame 0595 on Sep. 23, 2003. Therefore the subject matter described in Sinha and the invention of claim 5 were, at the time the invention of claim 5 was made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Sinha cannot preclude patentability of the invention of claim 5 under 35 U.S.C. § 103(a).

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to claim 5 under 35 U.S.C. § 103(a) based on Wood et al. in combination with Patterson et al. and Sinha.

Obviousness Rejection Based on U.S. Patent No. 6,773,938 to Wood et al. in view of U.S. Patent No. 6,313,434 to Patterson et al. and U.S. Patent No. 6,429,037 to Wenham et al., and further in view of U.S. Patent Publication No. 2005/0064707 to Sinha

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood et al. (U.S. Patent No. 6,773,938) in view of Patterson et al. (U.S. Patent No. 6,313,434) and Wenham et al. (U.S. Patent No. 6,429,037), and further in view of Sinha (U.S. Patent Publication

No. 2005/0064707).

Applicant asserts that Wood et al. (which issued from application no. 10/230,653, filed Aug. 29, 2002 and published Mar. 4, 2004) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102. Applicant additionally asserts that the subject matter of this application, and in particular the invention of claim 17, were owned or subject to an obligation of assignment to Micron Technology, Inc. at the time the claimed invention was made, as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014570 and frame 0165 on Sep. 29, 2003. At the time of the invention of claim 17 Wood et al. was assigned to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 013245 and frame 0570 on Aug. 29, 2002. Therefore the subject matter described in Wood et al. and the invention of claim 17 were, at the time the invention of claim 17 was made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Wood et al. cannot preclude patentability of the invention of claim 17 under 35 U.S.C. § 103(a).

Applicant additionally asserts Sinha (which issued from application no. 10/668,914, filed Sep. 23, 2003 and published Mar. 24, 2005) qualifies as prior art to this application (which was filed Sep. 29, 2003) only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102. At the time of the invention of claim 17 Sinha was also assigned to and owned by the same Micron Technology, Inc., as evidenced by the recordation of assignment at the U.S. Patent and Trademark Office on microfilm located at reel 014610 and frame 0595 on Sep. 23, 2003. Therefore the subject matter described in Sinha and the invention of claim 17 were, at the time the invention of claim 17 was made, "owned by the same person or subject to an obligation of assignment to the same person," as recited in 35 U.S.C. §103(c). As a result, Applicant respectfully asserts that under 35 U.S.C. §103(c), the subject matter of Sinha cannot preclude patentability of the invention of claim 17 under 35 U.S.C. § 103(a).

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to

claim 17 under 35 U.S.C. § 103(a) based on Wood et al. in combination with Wenham et al., Patterson et al., and Sinha.

**Objections to Claims /Allowable Subject Matter**

Claims 3 and 7 stand objected to as being dependent upon a rejected base claim, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. Claims 3 and 7 depend directly from independent claim 1. Applicant respectfully asserts that independent claim 1 is allowable for reasons previously discussed. Therefore, Applicant asserts that Claims 3 and 7 depend from an allowable base claim, and request that the Examiner withdraw the objection to Claims 3 and 7.

Claims 13, 17, and 19 stand objected to as being dependent upon a rejected base claim, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. Claims 13, 17, and 19 depend directly from independent claim 11. Applicant respectfully asserts that independent claim 11 is allowable for reasons previously discussed. Therefore, Applicant asserts that Claims 13, 17, and 19 depend from an allowable base claim, and request that the Examiner withdraw the objection to Claims 13, 17, and 19.

Claim 24 stands objected to as being dependent upon a rejected base claim, but is indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. Claim 24 depends directly from independent claim 22. Applicant respectfully asserts that independent claim 22 is allowable for reasons previously discussed. Therefore, Applicant asserts that Claim 24 depends from an allowable base claim, and request that the Examiner withdraw the objection to Claim 24.

**CONCLUSION**

Claims 1 and 3 through 28 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Jeffrey Gunn', with a long horizontal line extending to the right.

J. Jeffrey Gunn  
Registration No. 56,957  
Attorney for Applicant  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

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JJG/djp:slm  
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